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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/752,607	01/06/2004	Guangming Carl Shi	030517	6044

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Qualcomm, NC
5775 Morehouse Drive
San Diego, CA 92121

EXAMINER

MEHRPOUR, NAGHMEH

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/752,607

Applicant(s)

SHI, GUANGMING CARL

Examiner

Naghmeh Mehrpour

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/14/05</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed reference listed in the information Disclosure Submitted on 02/14/05 have been considered by the examiner (see attached PTO-1449

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-29, are rejected under 35 U.S.C. 102(e) as being anticipated by Kolev et al. (US patent Number 6,125,283).

Regarding claims 1, 10, 12, 21, 29, Kolev teaches a method/communication device of communications, comprising:

receiving an origination request for a call (col 6 lines 24-41);
selecting a communications network from a plurality of communications networks (col 6 lines 24-41);
accessing information to determine as a function of the origination request and the information that the call is allowed on the selected communications network (col lines 45-60); and

Art Unit: 2686

originating the call over the selected communications network 9col 6 lines 60-67).

Regarding claims 2, 13, 22, Kolev teaches a method of claim 1 wherein at least a portion of the information is accessed from at least one of a SIM card, a R-UIM card, and a USIM card (col 6 lines 1-9).

Regarding claims 3, 14, 23, Kolev teaches a method/communication device wherein the call origination request comprises an indication that the call is an emergency call (col 8 lines 5-13).

Regarding claims 4, 15, 24, Kolev teaches a method/communication device further comprising indicating that the call is allowed on each one of the plurality of communications networks (col 8 lines 5-20).

Regarding claims 9, 20, Kolev teaches a method/computer further comprising indicating that the call is allowed on the selected communications network (col 8 lines 5-20).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5-8, 16-19, 25-28, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolev et al. (US Patent 6,125,283) in view of Feakes (us Publication 2001/0103607 A1).

Regarding claims 5, 16, 25, Kolev fails to teaches a method/communication device wherein the call origination request comprises a dialing string input. However, Feakes teaches a method/communication device wherein the call origination request comprises a dialing string input (0072, 0075). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching of Feakes with Kolev, in order to lunches the audio software, which interprets the codes received over the internet.

Regarding claims 6, 17, 26, Kolev fails a method/communication device further comprising altering the dialing string before originating the call. However, Feakes teaches a method/communication device wherein comprising altering the dialing string before originating the call. (0072, 0075). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching of Feakes with Kolev, in order to lunches the audio software, which interprets the codes received over the internet.

Regarding claims 7, 18, 27, Kolev fails a method/communication device wherein the altering of the dialing string comprises replacing the dialing string with a new dialing string. However, Feakes teaches a method/communication device wherein the altering of the dialing string comprises replacing the dialing string with a new dialing string (0072, 0075). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to

Art Unit: 2686

combine the above teaching of Feakes with Kolev, in order to lunches the audio software, which interprets the codes received over the internet.

Regarding claims 8, 19, 28, Kolev fails a method/communication device wherein the altering of the dialing string comprises replacing the dialing string with a service request code. However, Feakes teaches a method/communication device wherein the altering of the dialing string comprises replacing the dialing string with a service request code (0072, 0075). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching of Feakes with Kolev, in order to lunches the audio software, which interprets the codes received over the internet.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Smith et al. (US Patent 6,891,811 B1) disclose hort messaging service center mobile originated to HTTP internet communications

Fragola (US Patent 6,889,059 B1) disclose multi card device for telecommunications and process for automatically managing telephone communications

Nordstrand (US patent 6,334,052) disclose subscription based mobile idle mode cell selection

7. **Any responses to this action should be mailed to:**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naghmeh Mehrpour whose telephone number is 571-272-7913. The examiner can normally be reached on 8:00- 6:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold be reached (571) 272-7905.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NM

September 15, 2005



Ms. Naghmeh Mehrpour
Patent Examiner